

Settling

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether  
Products Liability Litigation

This document pertains to:  
*City of New York, et al. v. Amerada Hess  
Corp., et al.*, Case Civil Action No. 04-CV-  
3417

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
Civil Action

**STIPULATION AND ORDER DISMISSING ALL CLAIMS AGAINST TOTAL**

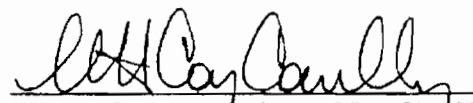
Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Plaintiffs City of New York, New York City Municipal Water Finance Authority, and New York City Water Board and Defendant Total Petrochemicals USA, Inc. ("Total"), hereby request that the Court enter this voluntary dismissal with prejudice of all claims against Total as set forth in the Plaintiffs' Fourth Amended Complaint, filed on March 9, 2007. The parties agree to the dismissal and further agree that such dismissal is with prejudice, with each party bearing its own attorneys' fees and costs. Plaintiffs reserve all other rights as against all other defendants.

Dated: 8/12, 2009

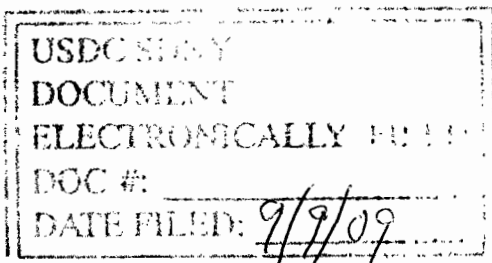
  
Victor M. Sher (*Admitted Pro Hac Vice*)  
SHER LEFF LLP  
450 Mission Street, Suite 400  
San Francisco, CA 94105  
(415) 348-8300  
vsher@sherleff.com

*Attorneys for Plaintiffs City of New York,  
New York City Municipal Water Finance  
Authority, and New York City Water Board*

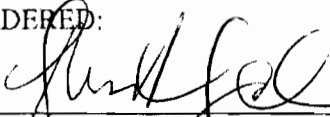
Dated: July 28, 2009

  
M. Coy Connelly (*Admitted Pro Hac Vice*)  
Bracewell & Giuliani LLP  
711 Louisiana St., Suite 2300  
Houston, TX 77002  
(713) 223-2300  
coy.connelly@bgllp.com

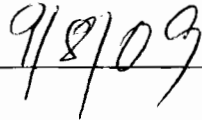
*Attorneys for Total Petrochemicals USA, Inc.*



SO ORDERED:

  
\_\_\_\_\_  
The Honorable Shira A. Scheindlin  
United States District Judge

Dated: \_\_\_\_\_

  
\_\_\_\_\_